DOCUMENT RESUME

ED 022 805 UD 004 166

By-Carter, Robert L.

THE LEGAL RESPONSIBILITIES OF PUBLIC SCHOOLS FOR DEALING WITH MINORITY GROUP MEMBERS.

Pub Date Aug 67

Note-21p.; Paper presented at Conf. on the Disadvantaged (Univ. of Wisconsin-Milwaukee, June 8-9, 1967).

EDRS Price MF-$0.25 HC-$0.92

Descriptors-DEFACTO SEGREGATION, DISCRIMINATORY ATTITUDES (SOCIAL), EDUCATIONAL POLICY, EDUCATIONAL RESOURCES, *EQUAL EDUCATION, FEDERAL COURTS, INTEGRATION LITIGATION, *LEGAL RESPONSIBILITY, MINORITY GROUPS, *NEGRO YOUTH, NEIGHBORHOOD SCHOOL POLICY, *PUBLIC SCHOOLS, SCHOOL DISTRICTS, SCHOOL INTEGRATION, *SCHOOL ROLE, STATES POWERS

This conference paper points out that the public schools are not providing equal educational opportunities. Although de jure segregation is being eliminated, existing de facto segregation is no less injurious to the young child. Wherever the educational process permits a differentiation which places Negro children at a disadvantage, the public school as failed to meet its constitutional responsibilities in eliminating inequalities. Negro children are denied equal opportunities through school attendance and assignment procedures, placement or grouping, and through a differential allocation of resources. The existence of these disparities is confirmed both in the Coleman report and the U.S. Commission on Civil Rights report on racial isolation. Although every state has the obligation and the authority to make the necessary reforms and adjustments, individual school systems, in cooperation with one another, should take the initiative before statewide action is required. Reactions to this conference paper are included. (DK)

EDUCATION AND THE DISADVANTAGED

Proceedings of A Conference on the Disadvantaged

at

The University of Wisconsin-Milwaukee

June 8 and 9, 1967

Harvey Goldman, Editor
Assistant Professor of Education
The University of Wisconsin-Milwaukee

UD 004 166

ED022805

UD 004 166

WHAT'S LEGAL?

The conflicts concerning equality of opportunity in the schools can be viewed as a means to better education for all children, according to Mr. Carter. And the only hope of improving the quality of life for our disadvantaged youth is through the medium of improved educational opportunities, a fact of which the urban poor are patently aware. As a result, what actually constitutes a neglected educational problem has now "been transformed into a civil rights issue of major dimensions."

The 1954 Brown decision of the Supreme Court ruled that segregation is destructive to the "minds and hearts" of those who must exist in racial isolation, and de jure segregation was specifically found illegal. However, de facto segregation is no less injurious and the responsibility for modifying patterns of segregated education, whatever the cause, lies squarely on the shoulders of those responsible for administering our nation's schools.

Thus, de jure segregation is clearly illegal; however, the existence of de facto segregation, while not yet declared illegal, sets forth for all to see the extent to which our schools have failed to meet their constitutional responsibilities.

The neighborhood school, an artificial construct adhered to by white segregationists and designed to promote segregated schools, when examined closely is found to be indefensible in terms of the demands made upon the schools in our contemporary society.

Already, more progressive states such as California, New Jersey, and New York have passed legislation making illegal the maintenance of segregated schools and requiring that action be taken to reduce the impact of residential segregation on the school-age children.

Attention should also be directed to the fact that education remains

a function of the states and, if necessary, the states have the authority to abolish or modify all existing school system boundaries. The implication presented here is that it would be more desirable for the individual school systems, acting in cooperation with one another, to undertake all necessary action in whatever directions are required before the threat of state-wide action appears imminent.

THE LEGAL RESPONSIBILITIES OF PUBLIC SCHOOLS FOR DEALING WITH MINORITY GROUP MEMBERS

Robert L. Carter*

There is an acute and critical crisis of confidence in the public school system in the urban North. It has failed to meet the constitutional and legal obligations imposed on public school authorities of providing equal educational opportunities for the poor, for the disadvantaged and particularly for nonwhites. In our large cities the Negro community is up in arms protesting about the educational deficiencies of the schools Negro children attend, about curriculum, school boards, principals and teachers, about teaching methodology, about racial concentration, about school buildings and facilities---indeed about every ingredient in the educational process that might conceivably have relevance to quality education.

What makes this protest unusual is that only recently school officials were citing Negro parent indifference as an underlying reason for the abysmally low academic showing of schools of Negro concentration. Now, suddenly, school authorities are faced with an over-abundance of parental concern and activity in the Negro community. This has been both surprising and unwelcome in many educational circles, but undoubtedly public education in the United States will benefit.

The widespread belief that Negro parents were not interested in the education of their children is a myth as is much current folklore about black people. Negro parents know that their children are being short-changed

UD 004 166

---

* Mr. Carter now serves as General Counsel for the National Association for the Advancement of Colored People, and he has played a major role in the ever-expanding drive to eliminate racial discrimination in this country. His activities include the development of legal strategy, and the preparation, trial, and appeal of cases which have led to the establishment of constitutional precedents in support of racial equality.

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

educationally, and they know that this means the destruction of their children and of their hopes and dreams. They know the key to breaking the unending cycle of discrimination, poverty and powerlessness which has been the Negro's lot for too long a time is through the educational process. Their own drab lives, misery and disaffection become more bearable if a decent education for their children is insured. A decent education means that their children will have the tools to obtain a decent job; a decent job means economic security which will create attitudes and motivations atypical to the present ghetto pathology of defeat and, hopefully, the cycle of destruction will be broken.

Most educational authorities will agree that the public schools are not providing equal educational opportunities or, indeed, even adequate education for disadvantaged minority group youngsters. The present dispute is in determining the reasons for the failure and in finding appropriate corrective measures.

It is undoubtedly unfair to place all of the responsibility on the harassed and dedicated educators who have the foreboding task of running public school systems in large communities which are increasingly centers in which underprivileged minority groups are concentrated. Some of the fault must be charged to the gross educational deprivations which Negroes were subjected to in the South. Some certainly must be attributed to background and home environment. Yet for too long educators were blind or indifferent to the evident discrepancies and differentiations in the educational opportunities offered to white and Negro children. When the failures and deficiencies in the educational process as it affects Negroes were perceived, they took comfort in the belief that these stemmed wholly from non-school factors.

While racial prejudice undeniably accounts in part for this neglect, I do not mean to charge public educational authorities with any more racial bias than the general public. The point is they possess as much, and this has meant a general acceptance of lower standards for Negro schools, lower performance levels and lower expectations. Nor do I want to imply that overt prejudice plays a significant role in teacher-pupil relationships. Unfortunately, however, most of us act upon innate prejudices which we are often not even aware of, and however innocent we may be, this can be a most destructive force in the public school system attended by minority group children.

The whole focus of the society has been on confining Negroes to an inferior caste. The assumption has been that Negro children do not need, could not absorb, could not use as much or the quality of education the white child needed. Because these are the assumptions of the society, every conscious and sub-conscious effort has been to make them self-fulfilling.

What happened in the past was to be expected. After all, in a racist society such as ours, one can hardly expect the people who run our public schools to be free of the taint which has infected the whole of American society. As tragic as that fact is, what is even more dangerous for the future is that few public school administrators recognize or are willing to face the fact that many of the concepts, approaches and past failures in the education of Negroes in school systems under their control have resulted in part, at least, from prejudice and the misconceptions which inevitably result.

Now time has run out, and a neglected educational problem has been transformed into a civil rights issue of major dimensions. The controversy is part of the fallout incident to the United States Supreme Court ruling

in Brown vs. Board of Education outlawing segregation in the public schools. This decision said that under our Constitution all government-imposed racial barriers are unlawful. Moreover, it spoke to the conscience of the nation to declare all racial barriers, whatever their source, immoral as well. It accorded national citizenship and the right to Negroes as a class to share all the privileges and immunities whites enjoy. It reminded us that the Thirteenth, Fourteenth and Fifteenth Amendments had placed an affirmative duty on American society to eradicate all relics, badges and indicia of slavery less the Negro as a race sink back into second-class citizenship.

To Negroes this decision meant that they were entitled to treatment based on constitutional standards and not on the racist pattern of the South; that their children were entitled to equal educational opportunities in both the North and the South; and that the states were required to furnish their children these benefits as long as a public school system was maintained.

When Negro parents took a long look at the public schools in the North, they discovered deprivations there to almost the same extent as those resulting from the outright racial separation and gross differentiations in the South.

In 1955 the New York public school system opened its records for a study by the Public Education Association to settle a dispute between school authorities and civil rights groups as to whether the schools of Negro and Puerto Rican concentration were academically inferior to other schools in the city. The results showed that as determined by standardized achievement test scores, Negro and Puerto Rican schools were one-half year behind the other schools at the fourth grade, one and one-half years behind at the fifth and two to two and one-half years behind at the sixth grade. In 1965

a study was made by HARYOU (Harlem Youth Opportunities Unlimited) of the central Harlem schools which showed that no improvement or change for the better had been made in the ten-year interval. The Negro and Puerto Rican schools were still from one-half year behind at the fourth grade to two and one-half years behind at the sixth grade. The Coleman report of the United States Office of Equal Educational Opportunity and the United States Civil Rights report on Racial Isolation in the Public Schools reveal this to be typical of the nation's public school systems.

At the same time the impact of technological changes, automation and modernization of industrial methods wiped out seemingly in one fell swoop that vast category of back-breaking work and unskilled labor which school and non-school authorities had consigned to the Negro as his rightful occupation. For years, Negroes had been completing or dropping out of school--it did not seem to make much difference in terms of future prospects--and going on the labor market equipped to perform unskilled work. But increasingly there was less of this kind of work to do, and since the Korean War, despite long periods of national affluence and prosperity, the rate of Negro unemployment has persisted at two and one-half to three times that of whites. Today it is approximately eight per cent to three per cent for whites. And most forebodingly, the unemployment rate for Negro youth has remained at about thirty-five per cent, despite the fact that last summer some two million jobs were made available, but almost all went to white applicants.

With the growing shortage of unskilled labor as a source of gainful employment, an educational philosophy that the Negro was to be the main source of unskilled labor and hence had no need for training in the more difficult skills had suddenly become not only obsolete but dangerous to the

well-being of our society. Without gainful employment, trapped in the bleak and squalid desolation of a Harlem or Bedford-Stuyvesant, Negro youth have brooded upon their discontent, their misery and pernicious racial injustice. They have become, as Dr. Conant so aptly termed it, "social dynamite"---a source of disaffection and unrest---a tinder box which if ignited could tear the fabric of our society asunder.

Because of the Negro community's increased manifestations of concern about the education Negro children are receiving and its increasing despair about appropriate corrective action being taken by the educational establishment, public school administrators and the nonwhite community confront one another as bitter antagonists, rather than as partners in the search for quality education. The gulf between the two groups has widened and more bitterness and controversy is threatened for the future.

The Fourteenth Amendment mandates equal educational opportunity for Negro children. That amendment speaks to the states. The states have a real legal responsibility to insure equal educational opportunity for Negro children in the public schools they maintain. Every claimed barrier to vindication of the right to equality of education the United States Supreme Court has declared in case after case must be examined to determine whether the practices, regulations or acts complained of do, in fact, constitute a forbidden deprivation within the meaning of the Fourteenth Amendment's guaranty of equal protection and due process. The issue in Missouri ex rel Gaines vs. Canada was out-of-state scholarship aid to Negroes in lieu of admission to the state university. In Sipuel vs. Board of Regents, it was the failure to make provision for the education of Negro applicants at the same time such provision was made for white students. In McLaurin vs. Oklahoma State Regents, the impact of on-campus segregation on the right to

equal educational opportunity was scrutinized. In Sweatt vs. Painter, the question faced was whether a separate law school for Negroes was substantially equivalent to the University of Texas Law School. In Brown vs. Board of Education, separate but equal elementary and secondary public education was measured against the Constitution's mandate and found wanting. In Cooper vs. Aaron and in Griffin vs. Board of Supervisors, evasive schemes and subterfuges were evaluated. In Goss vs. Board of Education, racial transfers which perpetuated segregation were weighed against the Constitution's command.

In each situation the United States Supreme Court held that deprivation resulted from the practices in dispute. Each of the cases was a step in the development of the reach, scope and content of the constitutional doctrine of equality of educational opportunity. Once struck down, however, the condemned regulation did not delimit the extent of the Fourteenth Amendment's proscription. As was said in a recent case "the Fourteenth Amendment does not cease to operate once the narrow confines of the Brown-type situation are exceeded."

The claim, for example, that school attendance and assignment procedures and practices causing de facto school segregation are unconstitutional is based on the thesis that the natural consequences of such ethnic concentration denies the Negro child equal educational opportunities within the meaning of the federal law. In Brown, enforced racial segregation of Negroes was held unconstitutional despite equal tangible facilities. The Court reached this conclusion because segregation impregnated the Negro child's heart and mind with a sense and a feeling of inferiority, deprived him of motivation and denied him the educational experience which made it possible for him to learn and achieve on the same basis as children in the dominant

society. The Negro child's freedom to associate with white children as an essential ingredient of his right to equality of education was said to apply with added force at the elementary and high school levels. Segregation per se was condemned because unequal education was its natural consequence.

Therefore, the legal responsibility which is fastened upon school authorities is both real and pragmatic. In general only arbitrary and capricious acts which deny a child or group of children access to educational facilities afforded others are illegal. Where, however, the educational process permits, fosters or enforces a differentiation which places Negro children at a disadvantage, the public school has failed to meet the responsibility which is imposed by law.

Today, in all but a few school districts, Negro children are denied equal educational opportunities either by assignment procedures, by methods of placement or grouping or through the allocation of resources or by a combination of all three. In short, in all but a few school districts public schools are not meeting their constitutional obligation to Negro children. I speak only of these three general areas because it is clear, I take it, that outright racial segregation, which still exists in much of the South, the use of the gerrymander or other contrivances to maintain racial separation or limit the educational growth of Negro children, and failure to provide the same course or courses of study for Negro children that white children receive constitute undisputed violations of the law's guarantees.

The assignment procedures that are offensive are those pursuant to which school enrollment is determined by residence in furtherance of the so-called neighborhood school policy. This policy has been defended by school authorities, commentators and courts, but its most vociferous support

has come from white parent groups engaged in a bitter battle to prevent alleviation of de facto school segregation.

Its virtues have been depicted as fostering informal relations between teachers, pupils and parents. It is said that the neighborhood school becomes the community center for recreational and cultural activity, and its defenders virtuously proclaim that it saves small children from the hardship of long term bussing.

The fallacy of the neighborhood school rationale is that it relies upon factors totally irrelevant to the actualities of modern day life. Small children are probably safer today being driven to school than being subjected to the hazards of street crossings on foot. Population mobility and the automobile have altered the nature of school community relations. Few children have the same schoolmates and playmates throughout the elementary and high school grades. Social contact between the family and school personnel is now minimal and activity in parent-school organizations is no longer dependent upon close proximity to the school.

The neighborhood school is simply not what many of its defenders portray. The attributes they ascribe to the neighborhood school are those of the common school which has long since disappeared. The common school was a single structure serving a heterogeneous community in which children of every racial, cultural, religious and socio-economic background were taught together. Because of rigid racial and socio-economic stratification, ethnic and class similarity have today become the most salient neighborhood characteristic, particularly in urban areas. The neighborhood school which encompasses a homogeneous racial and socio-economic grouping, as is true today, is the very antithesis of the common school heritage.

Both the Coleman report and the report of the United States Commission

on Civil Rights have shown that the education of minority group children is affected more by the children with whom they attend school than by any other single factor. Both these reports show that Negro children who attend all Negro schools make the poorest showing on the scale of academic achievement. Negro children grouped with white children of a low socio-economic group do better and achievement scores rise higher when Negro children are grouped with white children of a high socio-economic status.

Many educators, such as Dr. James E. Allen, the Commissioner of Education of New York, for example, recognize that the isolation or segregation of minority children for school purposes deprives them of opportunities for educational development and advancement which would be possible if they were educated with children of the dominant group. Thus, de facto school segregation resulting from the neighborhood school policy raises the question as to whether assignment procedures which produce concentrations of Negro children in schools separate and apart from white children deny to Negro children equality of educational opportunity which the Fourteenth Amendment guarantees.

The courts are divided on the question. The majority of the federal courts have taken the view that such assignment procedures in the absence of a showing of improper motivation do not impinge upon constitutional guarantees. A number of state courts (and, indeed, it is the law of New York, California, and New Jersey) and a minority of federal courts hold that there is an obligation on the part of school authorities to avoid assignment procedures which result in the concentration of Negroes and white children in schools that are separate and apart. Until now the United States Supreme Court has refused to settle the question. It has let stand decisions which have held de facto school segregation valid and those that have held

it invalid.

The tentative conclusions of the Coleman report and the explicit findings of the United States Commission on Civil Rights support the view that Negro children do not and cannot obtain equal educational opportunities when their educational experience is restricted to schools that are in effect and in fact segregated from those attended by the dominant group. Those who argue for the status quo in de facto school segregation situations are now on the defensive in the light of these reports.

It is likely that the courts will be pressed eventually to establish in at least some limited form the right of Negro children to require de facto school segregation to be eliminated and alleviated to whatever extent this can be accomplished without obstruction of sound educational procedures. I do not suggest that I anticipate the general outlawing of the neighborhood school policy but only its modification so as to achieve some feasible and rational form of school administration which will be more relevant to the objective of providing Negro children with quality education. What may be required will depend upon how feasible changes can be effectuated without disruption of the educational process. In short, the courts may come to hold that where school administrators have a choice, they must opt for those assignment procedures which reduce racial concentration to the lowest practicable level.

The contention that our goal should be integrated education is being ridiculed in some quarters on the grounds that this is somehow an insult to Negroes' intelligence, pride and dignity. It is said to be a suggestion that the Negro child's learning apparatus is magically transformed by having a white child sit in the classroom with him. This, of course, is an absurdity. The underlying reason that Negro children up to now, at least, have

been deprived of educational equality by their isolation is simply that they have been denied full access to the mainstream of education, but the standards by which they will be judged are mainstream standards.

I would hope that school authorities will voluntarily take the lead in undertaking affirmative efforts in their school districts to eliminate as much de facto school segregation as possible. They should spearhead efforts to provide Negro children with quality education and not seem to be unwilling to move unless pressured to do so.

Negro children are also being denied equal educational opportunities in some school districts by the way in which they are placed or grouped within the school. In some schools the placement procedure results in Negro and white children being assigned to separate classrooms. There is a controversy in educational circles over the value of homogeneous or hetrogeneous grouping for instructional purposes. I believe most educators discount the educational value of homogeneous grouping in the early grades, but some school systems institute the practice at a very early stage in the elementary school. At whatever stage it is instituted, the result is the classroom segregation of the vast majority of Negro children.

The Coleman and United States Commission on Civil Rights reports indicate that this kind of classroom assignment procedure deprives Negro children of their right to equal educational opportunity. As the isolation of Negro children in schools separate and apart denies educational equality, so the classroom assignment procedures which result in concentration of Negro children in classrooms separate and apart from white children would seem to violate the law. This procedure is presently under attack in a law suit pending in Washington, D. C.

Finally, there is the overall issue as to the allocation of resources.

Unquestionably our public school systems are not meeting their obligations to Negro children in this regard. Until recently the older school buildings and inferior physical plants were indigeneous features of the ghetto school; teacher-pupil ratio was usually high as was a higher number of less qualified teachers. The Coleman report revealed that the disparity which exists in those physical facilities shows some relationship to achievement. Science laboratories showed such a relationship and minority groups, but most "especially Negroes, were found to be in schools with fewer of these laboratories." Dr. Patricia Sexton in her study Education and Income, published in 1961, found that in one large city 47 per cent of the schools attended by children whose parents earned less than $7,000 per year had substandard science facilities or none at all. On the other hand, only 2 per cent of the schools attended by children whose parents' earnings exceeded $7,000 per year had no such facilities.

Although the Coleman report showed no great disparity on the whole between the schools of Negro concentration and those for white children in teacher training and experience, those disparities which did exist consistently favored the white pupil. A New York City survey published two years ago revealed that in one-half of the junior high schools in which pupil enrollment was 90 per cent or more white, 65 per cent or more of the teachers held a permanent license. On the other hand, in not a single junior high school in which the pupil enrollment was 90 per cent or more nonwhite did 65 per cent or more teachers have a permanent license. No junior high school attended by 90 per cent or more white students had less than 35 per cent of its teachers with a permanent license, but 11 per cent of the junior high schools attended by 90 per cent or more Negro pupils had less than 35 per cent of its teachers with a permanent license.

Harold Howe, United States Commissioner of Education, was reported in the January 11, 1967, issue of the New York Times as saying that in New York State school districts the per capita pupil expenditure range was seven times greater between the highest and lowest and that this was typical of every state in the Union. He concluded that this means "the quality of a youngster's education will depend largely on the place of his birth or residence, matters over which he has no control."

Schools have been financed largely through property tax levies made by the local government. What this has meant is that as the more affluent whites move to the suburbs and Negroes and other low income groups move to the core city, the city is faced with a declining tax base, rising welfare costs and other public services. It is at a great disadvantage in its efforts to maintain excellence in the public school system.

For many years the whole focus of public education has been on bringing quality education to the rural school. The time has come for educators to reexamine that policy. Commissioner Allen has suggested, and I agree with him, that the educational establishment must change its objectives; it must now focus its attention on bringing quality education to the ghetto schools. With increased urbanization of our population, what was formerly the rural school has now become a part of the affluent white suburbia.

As we have seen, the equal educational opportunity requirements of our Constitution speak to the states. School districts are an artificial means of administering and allocating state educational resources. The state certainly cannot be said to be meeting the requirement that it affords Negro children equal educational opportunities where, in the allocation of its resources, far greater per capita expenditures are being made in the affluent suburban schools than in the poor core city schools where the need

is greatest. We now know that educational resources, while not as vital to achievement and motivation as are the aspirations and expectations of other children in the classroom, do have some effect on the education of minority group children.

All public school systems are subject to attack in this area, and indeed a wholesale reexamination must be made of methods of school financing which are weighted in favor of school districts with affluent white children and school districting pursuant to which district lines are drawn to separate whites from nonwhites, the affluent from the disadvantaged; all of which represent policies that place minority group children at a disadvantage in the allocation of teachers and facilities.

It is a popular pastime today to discount desegregation efforts in metropolitan schools because the entire school enrollment is becoming predominantly nonwhite. What is forgotten, or perhaps not understood, is that the lines separating the predominantly Negro core city from the surrounding predominantly white suburban school district were drawn by the state. Similarly, these lines may be altered, erased, districts merged or eliminated by the state. And if the separation of school districts interferes with the state's legal obligation to accord educational equality to Negroes, it may be required to reorganize school districts in a manner consistent with its constitutional requirements.

Attack on allocation of resources has probably been deterred by conflict in civil rights circles. To many advocates of integration, this seemed to be akin to acceptance of separate but equal. Today there is a strong current in the Negro community to seek to raise the standard of education in the schools of Negro concentration. The integrationists, on the other hand, have come to understand that there is no inconsistency between an objective

to seek academic improvement in the schools attended largely by Negro pupils, while pressing to eliminate de facto school segregation altogether. Indeed, this is perhaps the only realistic way the problem of attempting to accord equality of education to Negro children can be undertaken.

The public school must provide quality education for all persons without distinctions based on race, color or class. The means to achieve this should be accorded top priority by our educators. Our public schools must perform for our nonwhite minorities what they managed so well for the white newcomer to our shores. It must equip them with the skills to acquire sufficient economic viability to enable them to move upward on the socio-economic scale and take their place in the mainstream of American life.

As difficult as is our present era, it offers a unique opportunity to the nation to view the Negro's persistent denial of full citizenship in all of its dimensions and thereby perhaps gain the wisdom to resolve the race question once and for all.

Brown vs. Board of Education reminds us that all of our institutions must make necessary adjustments and reforms to provide and insure equality of opportunity for all our people. Our technological advances mean that if our society is to survive, every child must have the opportunity for a decent education. Our educators must eschew dogma and "can't" and find the means to provide the best education conceivable to the underprivileged. They must reexamine, modify, adjust, change and discard educational practices until they find those that work. If they do this, they will find the way to equip the public school to meet its responsibilities to disadvantaged minority group children, and in achieving this objective, they will be a part of one of the most glorious chapters in American education.

I hope you agree with me that it is well worth the effort.

Participants' Reactions to Presentation by Mr. Robert L. Carter

There appeared to be general agreement that the current conflict surrounding the concept of the "neighborhood school" tends to diminish the emphasis which should be focused on the real issues at hand. The real question to be asked is "What are the objectives of the institution and what administrative structure will facilitate attainment of those objectives? Then, the kinds of schools developed, and the types of student populations assigned to those buildings can be determined in terms of those objectives.

There was a great deal of ambivalance regarding the role of state-level agencies (the state departments of public instruction and the state legislatures) in promoting equality of education for all students. There was consensus that the local school districts appear both unwilling and, possibly, unable to undertake the function of providing "quality" education for the disadvantaged but the participants were, nevertheless, not enthusiastic at the prospect that enabling legislation might be initiated at the state level.

A number of the discussion groups centered much of their efforts around the consideration of factors relating to the development of metropolitan school systems and the more equitable distribution of resources within the areas encompassed in those districts. Most felt that the trend toward metropolitan school systems had begun and that they will eventually become quite common. However, the general opinion was that this development would come only after conditions within and outside of the school systems created pressures to make escape from such an organizational pattern an impossibility.

Participants in some groups pointed out the problems of modifying existing patterns of discrimination, many of which have been built into our societal structure over a period of many years. Surprisingly, these same

people felt that the recent legislation pertaining to civil rights, and others which have yet to be enacted, can forceably create a climate in which the possibilities of attitudinal change on the part of the middle-class population is considerably more likely. They pointed out that failure to pass and enforce such legislation will only serve to reinforce the status quo, a condition which cannot be permitted to occur.

A focus on grouping practices within the schools led to the conclusion that educators have, through their use, made such practices an integral and acceptable part of the educational scene with little or no research to support their activities. Participants pointed out that conditions within the schools have undergone a great deal of change since those grouping practices were initiated and the consequences which today are a direct result of grouping procedures were not predicted at the time they were put into use. As was pointed out, we must be ever aware of the fact that our administrative procedures are useful and justifiable only as long as they continue to facilitate attainment of our over-all educational objectives. When the point is reached at which it is evident that operating procedures no longer facilitate goal attainment, as is evident today with regard to current grouping practices, then those activities must be reexamined in light of new conditions.

Individual participants within a number of the discussion groups placed major emphasis on meeting our "professional responsibilities" with regard to improving the quality of education for all people, a concept which Carter also emphasized. These individuals expounded on the obvious and inescapable conclusion that educators have a definite responsibility to provide the finest quality of education for all students at all times, and that failure to do so until such action is required by the courts constitutes a clear-cut case of dereliction of duty.